

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, (797-1101)

SUBJECT: Site Plan Modification

Application No., Project Name and Location:

SP 3-4-02, Andrx - Building Elevation Modification - 4955 Orange Drive, Generally located on the northeast corner of Orange Drive and Kean Road.

TITLE OF AGENDA ITEM: Andrx - Building Elevations Modification

REPORT IN BRIEF:

The applicant is requesting the approval of the proposed building elevation modifications associated with the “Andrx Pharmaceutical” project.

The petitioner has proposed adding a catalytic oxidizer and 3 additional dust collectors to the building wall located on the east side of the building. The plan also includes the relocation of the solvent storage locker just north of the existing generators and 10’ away from the east side of the building wall.

PREVIOUS ACTIONS:

The subject plat was recorded by Broward County on March 17, 1999, Plat Book 166, Page 38 of the public records of Broward County.

On October 7, 1998, Town Council approved a site development plan to construct 218,131 square foot pharmaceutical manufacturing building. Also provided on the site is a 2.58 acre wetland mitigation area located on the north end of the site.

CONCURRENCES:

On May 7, 2002, the Site Plan Committee recommended approval based on the planning report and based on that Andrx has the landscape plan recertified by Mr. Thomas Laubenthal or an equal such as a certified arborist or a landscape architect; that all deficiencies in the landscape plan must be corrected before issuing a building permit; that the job was to look like the original landscape plan with the new revisions including the wetlands; that after the work has been completed, it was to be inspected by the Town of Davie; and after the inspection, they could get a permit for this additional modification (Motion By: Vice-Chair Aucamp, Seconded By: Mr. Crowley, Motion carried: 4-0, Mr. Engel absent, May 7, 2002).

RECOMMENDATION(S): Motion to approve.

Attachment(s): Land Use map, Subject Site map, and Aerial.

Application #: SP 3-4-02
Andrx Phase 4 Modification
Exhibit "A":
Original Report Date: May 2, 2002

Revisions: May 16, 2002

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: Andrx Pharmaceuticals, Inc.
Address: 4955 Orange Drive
City: Davie, FL 33314
Phone: (954) 585-1400

Agent:

Name: Dooley & Mack Constr., Inc.
Address: 11971 NW 37 Street
City: Coral Springs, FL 3333065
Phone: (954) 585-1582

BACKGROUND INFORMATION

Application Request: Site Plan Modification Approval

Address/Location: 4955 Orange Drive/Generally located on the northeast corner of Orange Drive and Kean Road.

Future Land Plan Use Designation: Industrial

Zoning: M-3, Planned Industrial District

Existing Use: Pharmaceutical Manufacturing Company

Parcel Size: 13.459 acres (586,265 square feet)

Surrounding Land Use:

North: New Town Commerce Ctr.
South: Orange Drive and C-11 Canal
East: Storage Yard
West: Storage Yard

Land Use Designation:

North: Industrial
South: Recreation/Open Space
East: Industrial
West: Industrial

Surrounding Zoning:

North: M-3, Planned Industrial District
South: T, Transportation District
East: M-4, Limited Heavy Industrial District (Hacienda Village)
West: M-3, Intense Manufacturing and Industrial District (Hacienda Village)

ZONING HISTORY

Related Zoning History: None

Previous Request on same property: The subject plat was recorded by Broward County on March 17, 1999, Plat Book 166, Page 38 of the public records of Broward County.

On October 7, 1998, Town Council approved a site development plan to construct 218,131 square foot pharmaceutical manufacturing building. Also provided on the site is a 2.58 acre wetland mitigation area located on the north end of the site.

DEVELOPMENT PLAN DETAILS

1. **Proposed Request:** The petitioner has proposed adding a catalytic oxidizer and 3 additional dust collectors to the building wall located on the east side of the building. The plan also includes the relocation of the solvent storage locker just north of the existing generators and 10' away from the east side of the building wall.

Applicable Codes and Ordinances

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

Comprehensive Plan Considerations

Planning Area: This request is in Planning Area 6 which includes the lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 together with lands located north of the south Town limits. There are small commercial parcels along State Road 7 corridor. The majority of this planning area is industrially zoned and land used plan designated

Flexibility Zone: The proposed plat is in Flexibility Zone 58.

Concurrency Considerations: The subject site is a portion of platted property which has met the concurrency requirements and is in compliance with all restrictions of the approved plat.

Applicable Goals, Objectives & Policies: **Objective 17: Land Use Compatibility and Community Appearance:** Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Staff Analysis

The proposed site plan meets all of the applicable codes and ordinances of the Town of Davie.

Staff Recommendation

Recommendation: Based upon the above, staff recommends approval of application SP 3-4-02.

Site Plan Committee

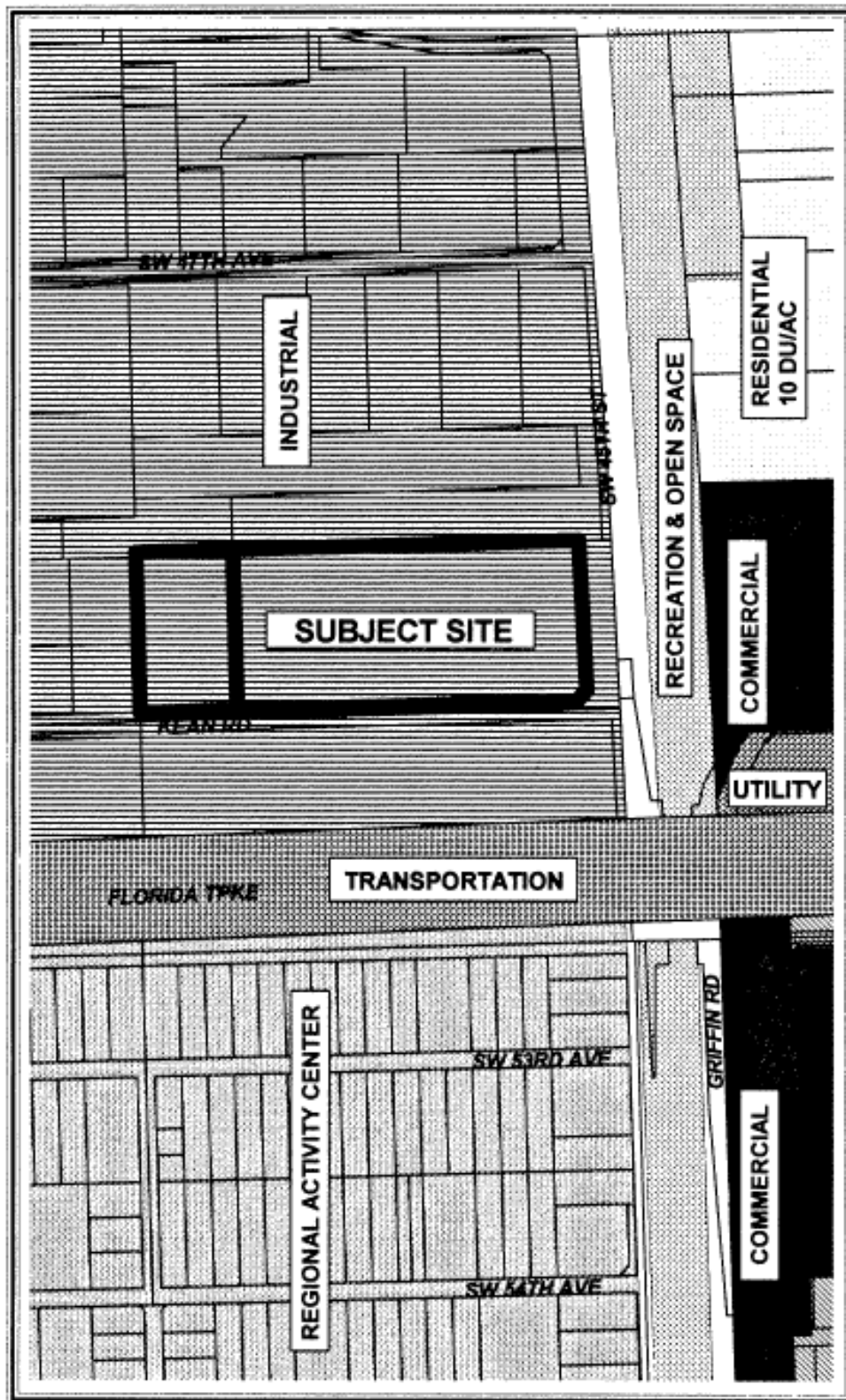
Site Plan Committee Recommendation: Motion to approve based on the planning report and based on that Andrx has the landscape plan recertified by Mr. Thomas Laubenthal or and equal such as a

certified arborist or a landscape architect; that all deficiencies in the landscape plan must be corrected before issuing a building permit; that the job was to look like the original landscape plan with the new revisions including the wetlands; that after the work has been completed, it was to be inspected by the Town of Davie; and after the inspection, they could get a permit for this additional modification (Motion By: Vice-Chair Aucamp, Seconded By: Mr. Crowley, Motion carried: 4-0, Mr. Engel absent, May 7, 2002).

Exhibits

Land Use map, Subject Site map, and Aerial.

Prepared by: _____ Reviewed by: _____



PETITION NUMBER: SP 3-14-02

Future Land Use Map
 Scale: 1"=400'
 Planning & Zoning Division - GIS
 Prepared 3/21/02





May 21, 2002

Fernando Leiva - Planning & Zoning Manager
Town of Davie
Planning and Zoning Division
6591 Orange Drive
Davie, FL 33314-3399

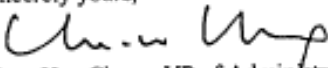
RE: Andrx Park Research & Development Facility
4955 Orange Drive
Site Plan - Modifications No. 3.2 SP 3-4-02
Landscape and Maintenance Issues

Dear Fernando:

Please be advised that Andrx Pharmaceuticals, Inc. has made the commitment to address and immediately commence with all corrective measures in accordance with the Landscape and Maintenance Punch List Dated 5-15-02 generated by Thomas J. Laubenthal, ASLA of Landscape Architects Collaborative, Inc.. Andrx Pharmaceuticals, Inc. will do whatever is necessary to resolve existing deficiencies in regards to the landscaping and maintenance conditions with certified licensed vendors. It is our understanding that once all of the issues have been addressed, inspected and approved by Thomas L. Laubenthal, his inspections and approval will be acknowledged and accepted by the Town of Davie Site Plan Review Committee.

Based on this letter and the attached recommendation and punch list letters from Thomas J. Laubenthal, please expedite approval of Phase 4D - Permit No: 02-1481 for release of permit. Should we need to discuss this after further, please contact us at our office @ (954) 585-1418.

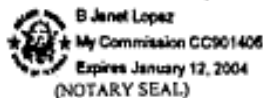
Sincerely yours,

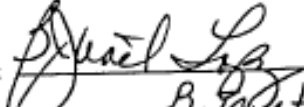

Chun-Hao Chang, VP of Administration
Andrx Pharmaceuticals, Inc.

Cc: Jim Kregloh
Kevin Kayton

STATE OF FLORIDA
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 21 day of May ²⁰02,
by Chun-Hao Chang



Signature of Notary: 

Name of Notary Typed or Printed: B Janet Lopez

Personally Known ☒ OR Produced Identification _____

Landscape Architects Collaborative Inc.
4310 W. Broward Boulevard, Suite A
Plantation, Florida 33317
Office 954/ 327-1955 Fax 954 / 327-1171

May 15, 2002

Design Review Board
and Code Enforcement Div.
Town of Davie
6501 Orange Drive
Davie, FL 33314

Re: ANDRX Pharmaceutical Co., 4955 Orange Drive, Davie, FL 33314
Review of Project Landscape & Maintenance

Dear Members of the Board and Town Staff:

Our office was contacted by the General Contractors, Dooley & Mack, who relayed a request from the Town of Davie, asking us to re-engage with this project to help the Owners resolve the deficiencies in the landscape installation completed a little more than a year ago. The Town indicated its dissatisfaction with the property condition and maintenance. We were also asked to make an evaluation for the Owners and for the Town.

We made an inspection of the site today, May 15th, in the company of the Owners' Facilities Management staff, the General Contractors' representative, an invited maintenance professional, Mr. George Bartosch and myself as the landscape architect of record. We brought with us into the field, a copy of the approved landscape plan. Any materials needing replacement were so marked on the plan, and a formal punch list was generated.

With Mr. Bartosch's assistance a maintenance schedule for mowing, trimming, watering, fertilization, selective and corrective pruning will be assembled. It is the intent of this office to guide the Owners toward a healthy program for proper maintenance with a licensed and certified contractor.

Andrx management shall provide a notarized letter to the Town of Davie indicating their commitment to making permanent and effective changes to their maintenance program. This letter will be accompanied by the punch list assembled by the landscape architect. Replacements of dead and damaged materials shall commence immediately and should soon be ready for inspection by the Town following the approval by the landscape architect.

The Town should take note that much of the recent damage along Kean Road is due to work by FPL who is upgrading their underground utilities, within their own easements and within the right of way shoulders. We have no control over this work; thus the Town should not hold the ANDRX permits application hostage over that issue. The Town has been successful in gaining the attention of the property owner. The landscape architect will assist in the efforts to close all gaps in hopes to allow the applicants general development program to proceed through Town planning.

Sincerely Yours,
Thomas J. Laubenthal, ASLA



CC: Sookie Mohan, Facilities Supervisor, ANDRX
Kevin Kayton, Facility Manager, ANDRX
Randy Bookbinder, Dooley & Mack

Fax 941-587-1054
Fax 941-587-1054
Fax 941-585-1850

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May 15, 2002

Design Review Board
and Code Enforcement Div.
Town of Davie
6501 Orange Drive
Davie, FL 33314

Re: ANDRX Pharmaceutical Co., 4955 Orange Drive, Davie, FL 33314
 Landscape & Maintenance Punch List

From the Site Survey completed on this day May 15, 2002 the following is a punch list of replacement plantings and corrective measures proposed to bring this site into Code Compliance. These standards must be put into effect immediately and maintained as a standard practice in the coming years as "normal maintenance appropriate to the site".

The sequence of the walk through is as follows:

- A. It begins in the front parking lot east end
- B. Continues to work its way across the front lot and building face to the west side
- C. Down the west side of the building and perimeter parking
- D. Across the building north face swale area
- E. Onto the parking lot west edge adjacent to the roadway
- F. Across the parking lot north side service drive edge
- G. Down the east side buffer and service drive
- H. Continuing down the east side buffer and mechanical side of the building to complete a loop of the site.
- I. The mitigation area is reviewed separately.

Replacements of Dead or Declining Materials:

Area A / East End of Front Parking Lot

1. Replace 12 Cocoplum to fill gaps along the fear east buffer wall.
2. Replace 8 Wax Jasmine under the Foxtail Palms in the far eastern end island
3. Replace 60 Wax Jasmine under the Washingtonia Palms on the north side of the dry retention area.
4. Replace approximately 1200 square foot of sod around the dry retention area side slopes, but not the bottom, which regularly floods.
5. Replace one Dahoon Holly tree 12'ht. X 4-5' spr. At the east end of the dry retention area. Excavate the soil overburden covering the root zones of the five remaining trees to relieve the stress and smothered root zone.

Areas B / West End of Front Parking Lot & Building

1. Add to and replace 15 Cocoplum shrubs at minimum code 30" ht. X 24" spr. To close gaps in the front street side hedge along Orange Drive.
2. Add 80 Liriope Evergreen Giant to the front planter bed under the Foxtail Palms across the glass front of the building south side.
3. Provide additional fertilizer and water to the one Foxtail Palm that was showing signs of frizzle top leaf deformity.
4. Replace the irrigation line needed to serve the Date palm in the cut out adjacent to the Liriope bed area. Add tow missing Dwarf Raphiolepis

5. In the front corner by the Main Ground Sign the Cocoplum hedgerow should be realigned to better address the sign base, eliminate the odd grassed areas. This will also smooth out the transition between the front side planter bed and the extended hedges to eliminate the weed whipping from around the base of the Date palms.
6. Add 100 Liriope Evergreen Giant to fill out the sign front bed planting.
7. Add 100 Crown of Thorns in two beds as per detail plan sketch attached.
8. Cut new bed line for planting area as shown in plan sketch, patch sod as needed..

Areas C / West Face of Building, Covered Walk and Parking Lot Buffer

1. Add about 15 White Liriope to the bed planting on the west edge of the fountain.
2. Add 50 Liriope to the existing bed by the mechanical area next to the fountain.
3. Along the parking lot side of the linear covered walkway, cut into the edge row distinct spaced for stepping stone to convey pedestrian traffic to the walk that continued to cut through the hedge and compact the soil.
4. Replace three Rhaps Palm clumps to original spec size of 4' ht. X 3-4' spr.; with a minimum of 10-12 canes each full clump.
5. Replace the missing Calophyllum Tree to match the existing specimen size trees.

Area D / North Side of Building, mechanical Area and Swale

1. Off the Northwest corner of the main building there is a large mechanical structure, which divides the pedestrian traffic, headed for the covered walk. The sod areas are beat from the foot traffic; thus these should be paved with concrete walks, as they are obviously the primary access routes, not likely to change.
2. The remaining Cocoplum hedge material underlining the structure shall be remove and relocated if possible. It shall be replaced by a minimum 36" ht. Ficus Benjamina hedge as a better screen element, as a better buffer. Approximately 40 Ficus will be required.

Area E / Main Parking Lot and West Perimeter

1. Along the right of way shoulder of Kean Road, FPL is in the process of doing some major up grades within their own easement. They are in the process damaging some of the perimeter hedge plantings. The Owner intends to hold them responsible for those replacements. The Town just needed to understand the damage was not neglect of the Owners.
2. Replace one Phoenix Rebelling palm showing signs of frizzle top and stress, beyond what it is likely to be able to recover from with regular fertilization.

Area F / North Side Service Drive

1. No replacements required.

Area G / West Side Service Drive & Mechanical Area

1. At the turning point of the service road by the east side buffer wall, there was a bed planting of Hamelia Patens. This area was impacted by recent electrical work and trenching which was necessary to effect security and surveillance cameras added to protect employees in remote areas of the site. This bed should be completely removed and replaced with an extension of 30 Ficus Buffer hedge plants at 36" ht. X 24" spr.
2. Replace 2 Wax Myrtle Trees 10' ht. X 7-8' spr., multi-stem.
3. In the Southeast corner of the main employee parking lot is an existing mechanical equipment area that is fenced in. Inside that area is some existing grass lawn and a few Cocoplum plants. This sod and shrubs should be removed, as they are not accessible to regular maintenance and mowing. Screening should not likely be an issue in this remote rear area. If so, adding opaque green plastic slats to the fence grid would provide better screening solution within the narrow space between the fence and curbing.

Area H / East Side Buffer Planting

1. No replacements required.

Mitigation Area

1. In the North west corner of the site there are a group of 3 Washingtonia palms, one needs replacement.
2. The Oak trees along the north perimeter of the site, adjacent to the buffer wall, are being overcome with vines to be removed completely from the ground area, the wall and the trees.
3. While the natural lake is very low, a complete walk through with round up should be made to eliminate the invasive species competing with the desirable native plants.

General Site Work & Maintenance

1. In the Main Employee parking Lot under the power lines, all of the small species trees such as Silver Buttonwood, Crepe Myrtle and Wax Myrtle shall be selectively pruned to limb up these bush like trees into a tree formed shape with a uniform 4 foot clear trunk height. In later years, with additional growth, the 4' measure can be brought to 6' and eventually 7' for an optimum sight line condition. This is not yet possible until the trees mature in height and structure.
2. There are significant irrigation breaks and general coverage deficiencies throughout the property. Much of it caused by hedges growing up which now impede the spray pattern. Many risers may need to be added or extended. Some zones may be or may have been shut off for a time due to construction. Coverage needs to be resumed for these areas before loss are incurred.

Fertilization Program

1. All fertilization applications shall be applied quarterly or at the longest in 4-month intervals, with possibly 2 applications in the growing or rainy season.
2. All Date Palms and Royal Palms shall be treated with no less than 5# of Palm Special and 5# of Milorganite. Note this fertilizer is to be installed as a deep root application with approximately 1/4-1/2# per hole distributed in an average of 20 holes to cover the perimeter root zone starting 3' radius out from the trunk.
3. Smaller palms including Foxtail, Washingtonia, Sabal and Alexander palms shall receive regular applications of with no less than 2# of Palm Special and 2# of Milorganite. These too are to be deep root applications.
4. LESCO brand Palm Special is probably one of the most affordable and effective fertilizer mixes, suited to the soil type for this area. We recommend it for use on shrubs, ground cover and even the sod areas. The spectrum of minor elements available in this mix make up for soil deficiencies and are successful in building better root systems that will help in drought situations.

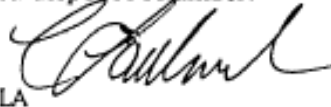
Trimming and Cutting

1. Sod cutting should be based on at least 30 cuttings per year with more regular cuttings in the growing season.
2. Thorough weeding of all beds should be performed monthly or 12 times per year.
3. Hedge trimming should be quarterly for all materials other than Ficus hedges.
4. Ficus hedges should be trimmed 8 times per year to maintain form and keep pace with growth.
5. Weed eaters are to be kept completely clear of all areas other than sod edges. Damage to Liriope beds was evident, and was the cause of many of the required replacements.
6. Palm fronds to be trimmed quarterly.
7. Small trees to be shaped bi-annually including limbing up.
8. Canopy trees to be trimmed annually.
9. The Calophyllum trees along the west side of the covered walk are to be selectively trimmed in an effort to establish an acceptable form intended to fill out the tree canopy and balance their overall shape. Some of the larger trees may be trimmed back to let the smaller trees fill out and catch up for form a uniform character.

This punch list is intended for the use of the Owner as directions to their maintenance personnel or contract service vendor. The replacement items should be commence immediately, and upon completion the Town should be called into inspect.

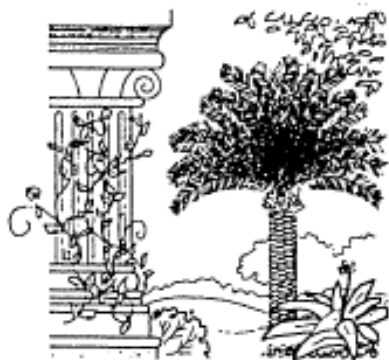
As for the maintenance work, it too should begin as soon as possible, pending an approved contract for additional services. Maintenance Contractors should be licensed with the Town of Davie, Certified as Arborists licensed to trim trees, and licensed and certified to dispense herbicides, insecticides and dispense fertilizer.

Sincerely Yours,
Thomas J. Laubenthal, ASLA



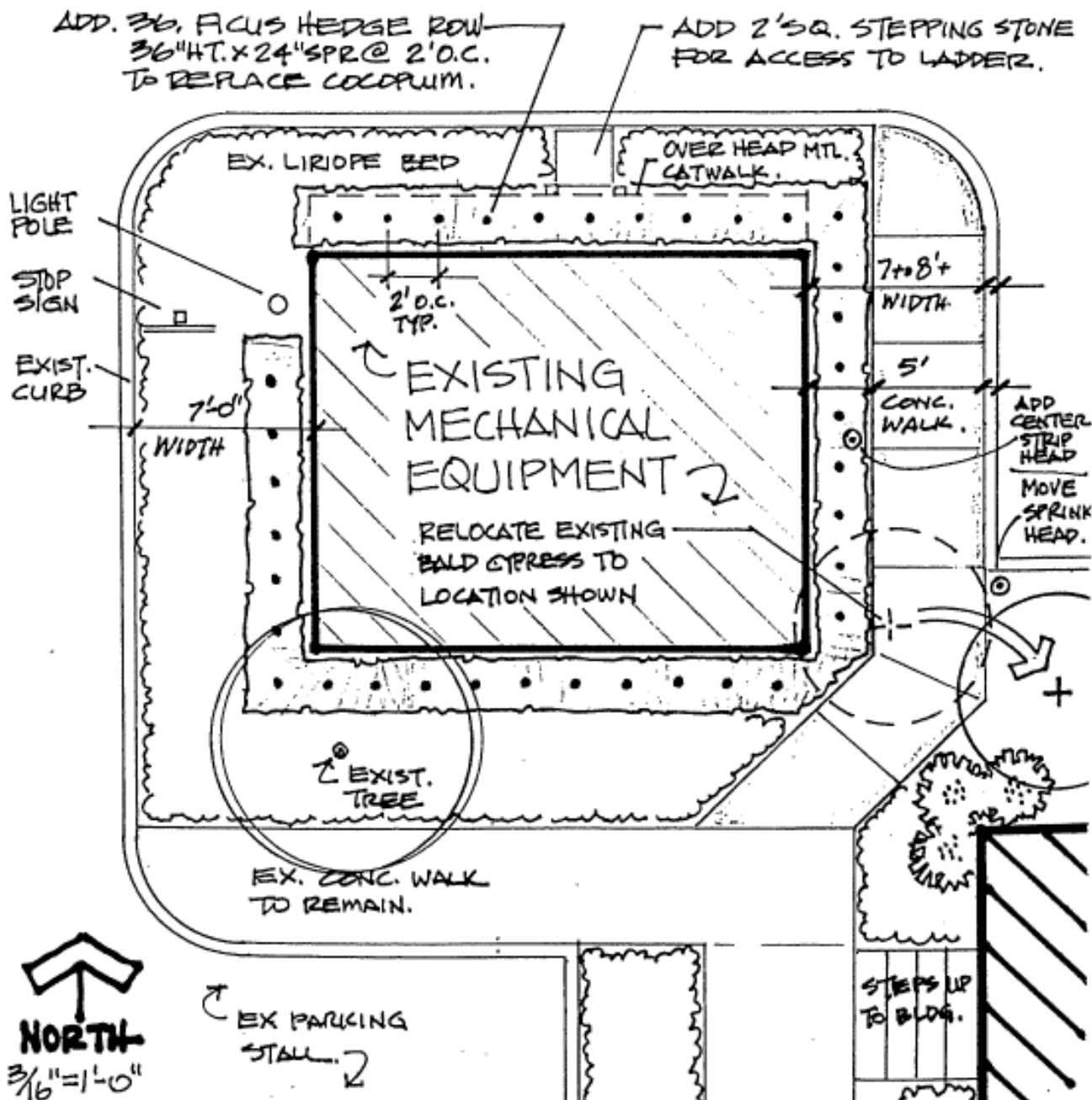
CC: Sookie Mohan, Facilities Supervisor, ANDRX
Kevin Kayton, Facility Manager, ANDRX
Randy Bookbinder, Dooley & Mack

Fax 941-587-1054
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Fax 941-585-1850



LANDSCAPE ARCHITECT'S COLLABORATIVE Inc.
4310 W. Broward Blvd. Suite A Plantation, Florida 33317

Project No.: _____ Date: 5/20/02
Project Name: ANDRX / N.W. BLDG. CORNER
Phone / Meeting location: CORRECTIVE MAINTENANCE.
Reason for mtg: ADDITIONAL SCREEN HEDGE
In attendance: AND ADDITIONAL CONC. WALK
TO REPLACE WORN SOD.





LANDSCAPE ARCHITECT'S COLLABORATIVE Inc.
4310 W. Broward Blvd Suite A Plantation, Florida 33317

Project No.: _____ Date: 5/20/02
Project Name: ANDREX / S.W. CORNER OF SITE
Phone / Meeting location: FRONT MAIN SIGN.
Reason for mtg: REMOVE IRREGULAR SOD LINE,
In attendance: SMOOTH OUT HEDGE ALIGNMENT.
ADD COLOR TO FILL OUT NEW BEDLINE.

